



# House of Representatives

General Assembly

**File No. 357**

*January Session, 2001*

Substitute House Bill No. 6829

*House of Representatives, April 18, 2001*

The Committee on Government Administration and Elections reported through REP. KNOPP of the 137th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING CERTAIN EX PARTE COMMUNICATIONS BY  
THE MEMBERS OF THE PUBLIC UTILITIES CONTROL AUTHORITY  
AND THE OFFICE OF CONSUMER COUNSEL.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 (NEW) Notwithstanding the provisions of section 4-181 of the  
2 general statutes, a member of the Public Utilities Control Authority or  
3 the Office of Consumer Counsel may testify at a public hearing held by  
4 a committee of the General Assembly, on issues of law and policy that  
5 may be present in a pending contested case, if (1) the testimony is  
6 necessary for the formulation of legislation that relates to the  
7 operations of the Department of Public Utility Control or the Office of  
8 Consumer Counsel, (2) the testimony is confined to general issues of  
9 law and policy that avoid an inquiry into the facts of the contested  
10 case, (3) the members of said committee (A) are not parties in any  
11 contested cases that are relevant to the issues of law discussed, and (B)  
12 do not have a direct or indirect financial interest in the outcome of the

13 contested case, and (4) the members of said committee do not attempt  
14 to influence the outcome of the contested case during said public  
15 hearing.

**ET**            *Joint Favorable Subst. C/R*

GAE

**GAE**            *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** None

**Affected Agencies:** Department of Public Utility Control, Office of Consumer Counsel

**Municipal Impact:** None

**Explanation****State Impact:**

The bill creates an exception to the ex parte communication laws for a member of the Public Utilities Control Authority or the Office of the Consumer Counsel to provide certain testimony before the General Assembly on issues that may be the subject of a pending contested case. There is no fiscal impact to either agency resulting from this change.

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**OLR Bill Analysis**

sHB 6829

**AN ACT CONCERNING EX PARTE COMMUNICATIONS WITH THE  
DEPARTMENT OF PUBLIC UTILITY CONTROL.****SUMMARY:**

This bill allows Department of Public Utility Control commissioners and the Office of Consumer Counsel to testify at public hearings held by legislative committees, under limited circumstances, on issues of law and policy that may be present in a pending contested case. Current law generally bars *ex parte* communications with any party or his representative on legal issues involved in such cases, unless all of the parties in the case are given notice and an opportunity to participate. The exception the bill creates applies only if (1) the testimony is needed to formulate legislation related to the agencies' operations and is confined to general issues that avoid an inquiry into the facts in the case and (2) the committee members are not parties in any cases the legislation affects, have no direct or indirect financial interest in the pending case, and do not attempt to affect its outcome at the hearing.

EFFECTIVE DATE: October 1, 2001

**COMMITTEE ACTION**

Energy and Technology Committee

Joint Favorable Substitute Change of Reference

Yea 12      Nay 1

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 19      Nay 0

